

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN BADEA,

Defendant.

2:19-CR-017-APG-VCF

**Preliminary Order of Forfeiture**

This Court finds John Badea pled guilty to Counts 1, 6, and 11 of a 17-Count Criminal Indictment charging him in Count 1 with conspiracy to commit mail fraud in violation of 18 U.S.C. §§ 1341 and 1349; in Count 6 with mail fraud in violation of 18 U.S.C. § 1341; and in count 11 with aggravated identity theft in violation of 18 U.S.C. §§ 1028A(a)(1) with 1028A(c)(5) and 1341. Criminal Indictment, ECF No. 19; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

This Court finds John Badea agreed to the imposition of the in personam criminal forfeiture money judgment of \$146,311.27 set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 19; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

The in personam criminal forfeiture money judgment is (1) any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1341, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(B), or 18 U.S.C. § 1349, conspiracy to commit such offense and (2) any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. §§ 1028A(a)(1) with 1028A(c)(5) and 1341, a specified unlawful activity as defined in

1 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(B), or 18 U.S.C. § 1349, conspiracy to commit such  
2 offense, and is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. §  
3 2461(c) and 21 U.S.C. § 853(p).

4 This Court finds that John Badea shall pay an in personam criminal forfeiture  
5 money judgment of \$146,311.27 to the United States of America, not to be held jointly and  
6 severally liable with any codefendants and the collected money judgment amount between  
7 the codefendants is not to exceed \$149,101.26 pursuant to Fed. R. Crim. P. 32.2(b)(1) and  
8 (b)(2); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(p).

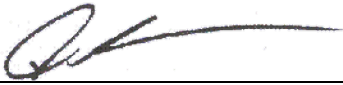
9 This Court finds that on the government's motion, the Court may at any time enter  
10 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
11 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and  
12 32.2(b)(2)(C).

13 The in personam criminal forfeiture money judgment complies with *Honeycutt v.*  
14 *United States*, 137 S. Ct. 1626 (2017).

15 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
16 the United States of America recover from John Badea an in personam criminal forfeiture  
17 money judgment of \$146,311.27.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
19 copies of this Order to all counsel of record and three certified copies to the United States  
20 Attorney's Office, Attention Asset Forfeiture Unit.

21 DATED February 18, 2021.  
22 Nunc Pro Tunc: December 16, 2020.

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24   
25 HONORABLE ANDREW P. GORDON  
26 UNITED STATES DISTRICT JUDGE  
27  
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**CERTIFICATE OF SERVICE**

A copy of the foregoing was served upon counsel of record via Electronic Filing on November 23, 2020.

/s/ Heidi L. Skillin  
HEIDI L. SKILLIN  
FSA Contractor Paralegal